UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/775,095	02/11/2004	Takashi Imai	03500.100171.	1582

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EXAMINER
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ART UNIT	PAPER NUMBER
2625	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/775,095	IMAI ET AL.
	Examiner	**Art Unit**	
	JACKY X. ZHENG	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>27 February 2009</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>34,37 and 40</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>34, 37 and 40</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>February 11, 2004</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>10/22/08 & 11/10/08</u>.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   This office action is in response to communication(s) filed on February 27, 2009.

2.   Applicant's election of Species I (corresponding to Claims 34, 37 and 40) <u>without</u>

traverse in the reply filed on February 27, 2009 with cancellation of non-elected species

(corresponding to claims 35, 36, 38, 39, 41 and 42) is acknowledged.

3.   Claims 1-33, 35-36, 38-39 and 41-42 have been <u>cancelled</u>.

4.   Claims 34, 37 and 40 were <u>previously-added</u> for consideration (October 22, 2008).

5.   Claims 34, 37 and 40 are currently <u>pending</u>.

6.   The objection to "TITILE" is <u>withdrawn</u> in view of Applicant's amendment with a new

title.

7.   The rejections under 35 U.S.C. §112, second paragraph, to Claim 4 is <u>withdrawn</u> in view

of applicant's cancellation to the claims.

8.   The rejections under 35 U.S.C. §101 to Claims 17-24 and 31-33 are <u>withdrawn</u> in view of

applicant's cancellation to the claims.

Claim Rejections - 35 USC § 102

9.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

10.   Claims 34, 37 and 40 are rejected under 35 U.S.C. 102(b) as being anticipated by <u>Reed</u>

(U.S. Patent No. 6,426,801 B1).

With regard to claim 34, the claim is drawn to an image processing apparatus *(see Reed, i.e. Figure 1, "Stand-alone Printer 20")* which comprises a connection unit connected to an external processing apparatus *(see Reed, i.e. Figure 5, "parallel port 54" and "parallel cable 64")*, and which further comprises plural card slots *(see Reed, i.e. Figure 1, "first driver 32", "second driver 34")* in which plural kinds of detachable memory cards are respectively inserted *(see Reed, i.e. Fig. 2, "solid state memory card 36"; also see col.3 ll 22-63, for further details)*, comprising:

a reading unit constructed to read out data from memory cards inserted in the card slots *(see Reed, i.e. Figure 7 and col. 3, ll 22-38, discloses "The printer 20 also comprises a first drive 32 and a second drive 34 for receiving a computer readable medium. As used herein, the term "drive" is intended to mean a structure which is capable of interfacing with (e.g., reading and/or writing to) a computer readable medium. As such, a drive may be adapted to interface with, for example, a spinning magnetic disk or a stationary solid state card. Suitable drives can be provided in the form of a floppy drive, a tape drive, an optical drive, a flash memory drive, or any other device capable of reading and/or writing to a computer readable medium. The computer readable medium suitable for use with the first and second drives can be any storage medium having a specific physical substrate configuration which is capable of interfacing with a digital device, such as a camera or scanner, and which is capable of storing one or more digital representations of an image captured by the digital device in the form of computer graphic files")*; and

an access control unit constructed to set a card slot as an accessible card slot which the reading unit can access *(see Reed, i.e. Fig. 8, Steps 86, 94 and 96 illustrates the processing flow*

of detecting the card (or any other storage medium) in <u>either</u> one of the three "drives" (or slots) to then proceed t" Step 88),

wherein, in an initializing state after a power supply is turned on, the access control unit sets a card slot in which a memory card is first inserted as the accessible card slot, sets the card slots other than the accessible card slot as inaccessible, and does not change the setting of the accessible card slot until the power supply is turned off *(see <u>Reed</u>, i.e. col. 5, ll 26-51, discloses "Referring to FIGS. 8 and 9, the initialization routine 74 is initiated <u>when power is first supplied to the printer 20 as shown in block 80</u>. Preferably, the initialization routine 74 begins execution with block 82, wherein it is determined whether a user of the printer 20 has selected execution of a diagnostic menu. ... If the diagnostic menu has not been selected by a user of the printer 20, execution passes to block 86 where the <u>first drive 32 is queried to determine if a flash memory card (e.g., 36 of FIG. 2) is inserted therein</u>. For purposes of discussion herein, a drive having a computer readable medium disposed therein which is <u>detected by the first controller 70 will be referred to herein as an active drive.</u> If a flash memory card is detected, execution passes to block 88 where the flash memory card is accessed to determine if there is an update file 87 (FIG. 9) disposed thereon."; also col. 5, ll 63-67, discloses "... the update file 87 can be copied from the computer 62 to a flash memory card 36 installed in one of the first drive 32 or second drive 34 or to a disk installed in the third drive 56, after which the update file can be detected by <u>the first controller 70</u> as described in blocks 86, 94 or 96 ...").*

With regard to claim 37, the claim is drawn to a method of controlling an image processing apparatus *(see <u>Reed</u>, i.e. Figure 1, "Stand-alone Printer 20")* which comprises a

connection unit connected to an external processing apparatus *(see Reed, i.e. Figure 5, "parallel port 54" and "parallel cable 64")*, and which further comprises plural card slots *(see Reed, i.e. Figure 1, "first driver 32", "second driver 34")* in which plural kinds of detachable memory cards are respectively inserted *(see Reed, i.e. Fig. 2, "solid state memory card 36"; also see col.3 ll 22-63, for further details)*, comprising:

reading out data from memory cards inserted in the card slots *(see Reed, i.e. Figure 7 and col. 3, ll 22-38, discloses "The printer 20 also comprises a first drive 32 and a second drive 34 for receiving a computer readable medium. As used herein, the term "drive" is intended to mean a structure which is capable of interfacing with (e.g., reading and/or writing to) a computer readable medium. As such, a drive may be adapted to interface with, for example, a spinning magnetic disk or a stationary solid state card. Suitable drives can be provided in the form of a floppy drive, a tape drive, an optical drive, a flash memory drive, or any other device capable of reading and/or writing to a computer readable medium. The computer readable medium suitable for use with the first and second drives can be any storage medium having a specific physical substrate configuration which is capable of interfacing with a digital device, such as a camera or scanner, and which is capable of storing one or more digital representations of an image captured by the digital device in the form of computer graphic files")*; and

setting a card slot as an accessible card slot which can be accessed to read data *(see Reed, i.e. Fig. 8, Steps 86, 94 and 96 illustrates the processing flow of detecting the card (or any other storage medium) in either one of the three "drives" (or slots) to then proceed t" Step 88)*,

wherein, in an initializing state after a power supply is turned on, a card slot in which a memory card is first inserted is set as the accessible card slot, the card slots other than the

accessible card slot are set as inaccessible, and the setting of the accessible card slot does not

change until the power supply is turned off *(see Reed, i.e. col. 5, ll 26-51, discloses "Referring to*

FIGS. 8 and 9, the initialization routine 74 is initiated when power is first supplied to the printer

20 as shown in block 80. Preferably, the initialization routine 74 begins execution with block 82,

wherein it is determined whether a user of the printer 20 has selected execution of a diagnostic

menu. ... If the diagnostic menu has not been selected by a user of the printer 20, execution

passes to block 86 where the first drive 32 is queried to determine if a flash memory card (e.g.,

36 of FIG. 2) is inserted therein. For purposes of discussion herein, a drive having a computer

readable medium disposed therein which is detected by the first controller 70 will be referred to

herein as an active drive. If a flash memory card is detected, execution passes to block 88 where

the flash memory card is accessed to determine if there is an update file 87 (FIG. 9) disposed

thereon."; also col. 5, ll 63-67, discloses "... the update file 87 can be copied from the computer

62 to a flash memory card 36 installed in one of the first drive 32 or second drive 34 or to a disk

installed in the third drive 56, after which the update file can be detected by the first controller

70 as described in blocks 86, 94 or 96 ...").

        With regard to claim 40, the claim is drawn to a computer-readable storage medium

storing a computer-executable program for controlling an image processing apparatus *(see Reed,*

i.e. Figure 1, "Stand-alone Printer 20") which comprises a connection unit connected to an

external processing apparatus *(see Reed, i.e. Figure 5, "parallel port 54" and "parallel cable*

64"), and which further comprises plural card slots *(see Reed, i.e. Figure 1, "first driver 32",*

"second driver 34") in which plural kinds of detachable memory cards are respectively inserted

(see Reed, i.e. Fig. 2, "solid state memory card 36"; also see col.3 ll 22-63, for further details),

said program comprising the steps of:

reading out data from memory cards inserted in the card slots *(see Reed, i.e. Figure 7 and*

col. 3, ll 22-38, discloses "The printer 20 also comprises a first drive 32 and a second drive 34

for receiving a computer readable medium. As used herein, the term "drive" is intended to mean

a structure which is capable of interfacing with (e.g., reading and/or writing to) a computer

readable medium. As such, a drive may be adapted to interface with, for example, a spinning

magnetic disk or a stationary solid state card. Suitable drives can be provided in the form of a

floppy drive, a tape drive, an optical drive, a flash memory drive, or any other device capable of

reading and/or writing to a computer readable medium. The computer readable medium suitable

for use with the first and second drives can be any storage medium having a specific physical

substrate configuration which is capable of interfacing with a digital device, such as a camera or

scanner, and which is capable of storing one or more digital representations of an image

captured by the digital device in the form of computer graphic files"); and

setting a card slot as an accessible card slot which can be accessed to read data *(see Reed,*

i.e. Fig. 8, Steps 86, 94 and 96 illustrates the processing flow of detecting the card (or any other

storage medium) in either one of the three "drives" (or slots) to then proceed t" Step 88),

wherein, in an initializing state after a power supply is turned on, a card slot in which a

memory card is first inserted is set as the accessible card slot, the card slots other than the

accessible card slot are set as inaccessible, and the setting of the accessible card slot does not

change until the power supply is turned off *(see Reed, i.e. col. 5, ll 26-51, discloses "Referring to*

FIGS. 8 and 9, the initialization routine 74 is initiated when power is first supplied to the printer

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36 of FIG. 2) is inserted therein. For purposes of discussion herein, a drive having a computer

readable medium disposed therein which is detected by the first controller 70 will be referred to

herein as an active drive. If a flash memory card is detected, execution passes to block 88 where

the flash memory card is accessed to determine if there is an update file 87 (FIG. 9) disposed

thereon."; also col. 5, ll 63-67, discloses "... the update file 87 can be copied from the computer

62 to a flash memory card 36 installed in one of the first drive 32 or second drive 34 or to a disk

installed in the third drive 56, after which the update file can be detected by the first controller

70 as described in blocks 86, 94 or 96 ...").

Response to Arguments

11.   Applicant's arguments with respect to claims 1-42 have been considered but are moot in
views of: cancellations of claims 1-33, 35-36, 38-39 and 41-42, and the new ground(s) of
rejection with regard to pending claims 34, 37 and 40.

Conclusion

12.   The prior art made of record and not relied upon is considered pertinent to applicant's
disclosure.

   A. Sekikawa et al. (U.S. Patent No. 5,498,658) disclose a digital copy apparatus.

B. <u>Hanaoka et al.</u> (U. S. Patent No. 6,804,023) disclose an information communication

system.

C. <u>Reed</u> (U.S. Patent No. 6,665,092) discloses a stand-alone printer provided with a first

drive, second, and third drives capable of receiving the computer readable medium stored

with digital representation of data.

D. <u>Narusawa et al.</u> (U.S. Patent No. 6,947,171) disclose a multifunction printer, each having

a card reader.

E. <u>Masumoto et al.</u> (U.S. Patent No. 7,298,523) disclose a print apparatus which receives

image data from a digital camera, PC card, or PC.

F. <u>Nitta</u> (U.S. Patent No. 6,882,440) discloses a printer, image processing device and

method.

G. <u>Kakigi et al.</u> (U.S. Patent No. 2002/0054350) disclose an image recording device and

method.

H. <u>Pierre Bertin et al.</u> (U.S. Patent No. 2002/0029090) disclose an invention relates to an

apparatus for receiving an audiovisual program comprising a circuit for communication

with means of connection to a bidirectional communication network, wherein the

apparatus comprises a first connector for communication with a master apparatus; a

second connector for communication with a peripheral apparatus.

I. <u>Hirai et al.</u> (U.S. Patent No. 2002/0051227) disclose a facsimile device having SD

memory card reader and writer for accessing the data.

J. <u>Hunter</u> (U.S. Patent No. 6,914,698) discloses a method and apparatus for printing image

files, see Fig. 4A and 4B.

13.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

14.   A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

15.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jacky X. Zheng whose telephone number is (571) 270-1122. The

examiner can *normally* be reached on Monday-Friday, 7:30 a.m.-5p.m., Alt. Friday Off.

16.   If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Twyler L. Haskins can be reached on (571) 272-7406. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

17.   Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jacky X. Zheng/
Examiner, Art Unit: 2625
April 23, 2009

/Twyler L. Haskins/
Supervisory Patent Examiner, Art Unit 2625